

**IT IS ORDERED** as set forth below:



**Date: February 26, 2020**

Susan D. Barrett

United States Bankruptcy Judge  
Southern District of Georgia

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IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA

IN RE:  
GAUTAM UPENDRA PATEL )  
Debtor(s). ) CHAPTER 7 CASE  
 ) CASE NO.: 19-11073  
 )

**ORDER APPROVING SALE FREE AND CLEAR OF LIENS AND**  
**APPROVAL AND PAYMENT TO PROFESSIONALS**

This matter came before the Court upon the Motion of James C. Overstreet, Jr., Chapter 7 Trustee, seeking leave to sell certain property of the estate described more fully as: 302 Cambridge Court, Thomson, McDuffie County, Georgia (“Property”).

Trustee proposes to sell Property to Albayana Olatunji Carr (“Buyer”) for the gross sales price of \$250,000.00 free and clear of all liens and claims. From the proceeds of sale, Trustee shall pay, the following, in order of priority,

- a. Ordinary and customary closing costs including deed stamps and taxes if required by the Contract all as required by the Purchase and Sale

Agreement attached hereto as Exhibit A; then

- b. Any real estate taxes, back or current, owed to any local taxing authorities for ad valorem taxes; then
- c. Real Estate Commissions due to Billy Franke/ Franke Properties, LLC (“Broker”) in the amount of seven percent (7%) of the gross sales price for Property; then
- d. Amounts necessary to release the first position lien in favor of Nationstar Mortgage/Mr. Cooper (“Bank”) believed to be approximately \$65,000.00; then
- e. The balance of any sales proceeds, after payment of the above, shall be paid over to the Estate (“Net Sales Proceeds”).

Your Trustee also seeks approval of, and permission to pay realtors commissions on such sale to (“Broker”). After a hearing on the matter and for good cause shown,

IT IS HEREBY ORDERED that the Trustee shall be authorized to sell Property to Buyer under normal and customary terms and under the terms of the Contract attached to the Trustee’s Motion for the gross sales price of \$250,000.00. Such sale shall be free and clear of all liens save that of Bank and any local taxing authorities for real estate ad valorem taxes, which liens shall be paid out as set forth above at closing and in full and final satisfaction of all claims and interests that such parties have in Property or the sales proceeds therefrom. Trustee shall also be authorized to pay ordinary, customary and closing costs in accordance with the Purchase and Sales contract attached to Trustee’s Application as “Exhibit A.”

Any other valid liens not otherwise paid out at closing shall attach to the net proceeds of such sale to the same extent and priority as such lien would have attached to Property.

IT IS FURTHER ORDERED that professional fees and commissions to Broker in the amount of 7% of the gross sales price of Property are hereby approved. Such commissions shall be paid from the proceeds of any closing

[END OF DOCUMENT]

Presented by:

/s/ James C. Overstreet, Jr.

James C. Overstreet, Jr.  
Chapter 7 Trustee  
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